

From: jriddle@hbc.com
Sent: Monday, April 10, 2006 10:03 AM
To: Benham, Katherine
Subject: Chlorine comment

Attachments: ATTACHMENT.TXT; Chlorine final draft 4.30.03.rtf

Dear Katherine,

Please accept this as a public comment on the NOSB Crops, Livestock and Handling Committees' draft recommendations on the use of chlorine.

On May 14, 2003, the NOSB adopted a recommendation on chlorine, which contains the following:

III. Recommendations

- A. Change the annotation of §205.601(a)(2) to read: Chlorine materials
- Except, That, residual chlorine levels in the water in direct crop or food contact and in flush water from cleaning irrigation systems that is applied to crops or fields shall not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act.
- B. Change the annotation of § 205.603(a)(3) to read: Chlorine materials
- disinfecting and sanitizing facilities and equipment. Residual chlorine levels in the water in direct crop or food contact shall not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act.
- C. Change the annotation of § 205.605(b)(9) to read: Chlorine materials
- disinfecting and sanitizing food contact surfaces, Except, That, residual chlorine levels in the water in direct crop or food contact shall not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act.
- D. Change the Questions and Answers to read:
- Q. As a certified operator, at what point in crop, livestock or handling operations should I monitor for the maximum residual disinfectant limit?
- A. Certified operators must monitor the chlorine level up stream of the wash operation or rinse operation, where the water last contacts the organic product. The level of chlorine in the water which last contacts the organic food products must meet the 4 mg/L limit as set forth by the Safe Drinking Water Act. A description of the operation's monitoring procedure is to be contained in the operation's Organic System Plan. Documents which demonstrate compliance are to be reviewed and verified during the operation's annual inspection.

Q. As a crop, livestock, or handling operation, am I restricted to use chlorine at the maximum residual disinfectant limit specified under the Safe Drinking Water Act, currently 4 mg/L, at the beginning of the wash/rinse water cycle?

A. No. Levels of chlorine used to prepare water to disinfect/sanitize tools, equipment, or food contact surfaces may be higher than 4 mg/L and should be at levels sufficient to control microbial contaminants. If water containing higher levels of chlorine comes in direct contact with organic crops or food products, there must be a final, thorough rinse with potable water.

Q. What is the "maximum residual disinfectant level"?

A. "Maximum residual disinfectant level" is a term defined by the Environmental Protection Agency (EPA) as the highest level of a disinfectant allowed in drinking water. This level is currently established by EPA at 4 mg/L for chlorine. Practically applied under the National Organic Standards, the term "maximum residual disinfectant level" refers to the chlorine level of the water which last contacts organic products.

E. The review of chlorine should be prioritized in the re-review process in light of new information about the relationship of chlorine and trihalomethanes, available alternatives, food safety, health effects, and application procedures.

The full text of the 5/14/03 recommendation (attached) contains a statement of regulatory objectives and the original recommendation on chlorine, adopted by the NOSB in November, 1995. As described in the 5/14/03 document, the NOSB has never endorsed or recommended the language currently in the Final Rule pertaining to the use of chlorine.

If the NOSB adopts sunset recommendations on chlorine use for crops, livestock, and handling without correcting the annotations to comply with existing NOSB recommendations, it will endorse regulatory language that is contradictory and confusing, and which the NOSB has not previously supported.

Respectfully,

Jim Riddle